

**ENTERED**

December 19, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

PEDRO MAGIN-MOJICA,  
Petitioner,

V.

UNITED STATES OF AMERICA,  
Respondent.

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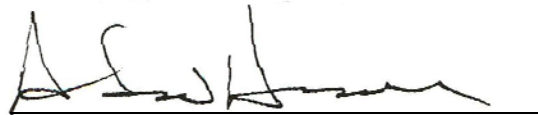
CIVIL NO. B-16-138  
CRIMINAL NO. M-08-1126-1  
CRIMINAL NO. B-11-962-1

**ORDER**

Pending is the Magistrate Judge's October 6, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 6] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, it is ordered that Petitioner Pedro Magin-Mojica's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied as meritless, and the issuance of a certificate of appealability is denied.

Signed this 19<sup>th</sup> day of December, 2016.



Andrew S. Hanen  
United States District Judge